

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 20, 2002

DIVISION ONE

Court convened at 9:00 A.M.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J., Mallano, J. and D. Nolan, Deputy Clerk.

Each of the following:

B137761 Renteria v. Custom Fiberglass Manufacturing Company
B154054 D.C.F.S. v. Gwendolyn P.

Argument waived, cause submitted.

B146764 Kathleen Cole
 v.
 El Monte School District et al.

Merits:

Argued by Dennis J. Walsh for respondents. No appearance by counsel for appellant. Counsel waives the presence of Presiding Justice Spencer.
Cause submitted.

B149745 Children's Wonderland Inc.
 v.
 Diversified Intergenerational Care, Inc., et al.

Merits:

Argued by Charles J. Falkowski for appellants and by James Goldman for respondent. Counsel waives the presence of Presiding Justice Spencer.
Cause submitted.

DIVISION ONE (Continued)

B147402 Commerce Funding Corp.

v.

California Factors & Finance, Inc., et al.

Merits:

Argued by Einar Wm. Johnson for appellant and by Thomas McCullough for respondents. Counsel waives the presence of Presiding Justice Spencer. Cause submitted.

B145765 Commerce Funding Corporation

v.

California Factors & Finance, Inc., et al.

Merits:

Argued by Einar Wm. Johnson for appellant and by Thomas McCullough for respondents. Counsel waives the presence of Presiding Justice Spencer. Cause submitted.

Mallano, J. leaves the bench.

B138200 Joel Drum

v.

Interinsurance Exchange of the Automobile Club of Southern California

Merits:

Argued by James S. Link for appellant and by Peter J. Godfrey for respondent. Counsel waives the presence of Presiding Justice Spencer. Cause submitted.

Mallano, J. returns to the bench.

B145494 Henry Perez

v.

City of Compton

Matter called:

No appearance by appellant. Respondent waived oral argument. Argument waived, cause submitted.

DIVISION ONE (Continued)

B148684 Utility Audit Company, Inc.
 v.
 City of Los Angeles

Merits:

Argued by Laurie Rittenberg for appellant and by Elena Reyes for respondent. Cause submitted.

Ortega, Acting P.J. leaves the bench.

B146693 Isaac Kalonji
 v.
 Walter Williams II

Merits:

Argued by Tesfaye W. Tsadik for appellant and by Michael Levine for respondent. Counsel waives the presence of Presiding Justice Spencer. Cause submitted.

B152188 Ann Marie Braco
 v.
 Superior Court, Los Angeles County
 (4600 Sunset Blvd. Inc., etc., et al., r.p.i.)

Merits:

Argued by Michael Linfield for petitioner, by Charles J. Falkowski for real party in interest Camall Gabriel, and by Paul F. Sollami for real party in interest Akbar et al. Counsel waives the presence of Presiding Justice Spencer. Cause submitted.

Court recessed.

March 20, 2002-Continued

DIVISION ONE (Continued)

Court reconvened at 10:00 A.M.

Present: Ortega, Acting P.J., Vogel (Miriam A.), J, Mallano, J., and D. Nolan, Deputy Clerk.

Vogel (Miriam A.), J. leaves the bench.

B139433 Cacique, Inc., et al.
v.
Stella Foods, Inc., et al.

Merits:

In open court Ortega, Acting P.J. lifts the order calling for this to be a closed hearing. Counsel for respondent, George Salmas move to have the opinion of this court filed under seal. The court denies respondent's the motion. Argued by Mark Perry for appellant Stella, by Richard B. Sheldon for appellant Fletcher Farrell, and by Allan Browne and George Salmas for respondents. Counsel waives the presence of Presiding Justice Spencer. Cause submitted.

Court adjourned.

DIVISION TWO

B147360 People (Not for Publication)
v.
Wittine

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION SIX

B151575 Stewart Johnston Pumps, Inc., et al. (Not for Publication)
v.
Nationwide Mutual Insurance Company

The judgment (order granting summary judgment) is affirmed. Nationwide is awarded costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

B153479 Human Resources Agency (Not for Publication)
v.
Donna C.
In re Shurrie C., et al., Persons Coming Under the Juvenile Court Law.

The judgment terminating parental rights is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

B149201 People (Not for Publication)
v.
Brown

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

DIVISION SIX (Continued)

B153372 Gomez (Not for Publication)
v.
Gourley, etc., et al.

The judgment denying the petition for a writ of mandate is affirmed. Costs on appeal are awarded to respondent.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

[illegible]

The judgment is modified to reflect that the three-year sentence on count 4 (Veh. Code, § 23153, subd. (b)) is stayed pursuant to section 654 and to further reflect that appellant is awarded 511 days actual custody and 255 days conduct credit. (§§ 2900.5; 4019.) The trial court shall amend the abstract of judgment and transmit a certified copy to the Department of Corrections. As modified the judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B150967 Inglewood Crossroads Homeowners Assoc. (Not for Publication)
v.
James Geffner et al.

The judgment is affirmed. Respondent(s) to recover costs.

Perluss, J.

We concur: Johnson, Acting P.J.
 Woods, J.

DIVISION SEVEN (Continued)

B145037 Waymon Hobdy
 v.
 State of California

Filed order denying petition for rehearing.

B148565 Citizens For Fair Treatment, Inc.
 v.
 Time Warner Entertainment et al.

Filed order denying petition for rehearing.

B136691 Carl M. Kinsey
 v.
 City of Los Angeles

Filed order denying petition for rehearing.

B149046 Ted L. Vanzant (Certified for Publication)
 v.
 Daimler Chrysler Corp.

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Lillie, P.J.
 Perluss, J.

DIVISION SEVEN (Continued)

B155115 United Community Resource Agency (Not for Publication)
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

Let a peremptory writ issue directing the superior court to vacate its order denying the motion for return of petitioner's property. The superior court is also directed to conduct a special proceeding in accord with the views expressed in this opinion to determine whether the assets should be returned to petitioner pursuant to Penal Code sections 1539 and 1540. The bank accounts and assets that are the subject of the October 17, 2001, warrant and freeze order are to remain seized and frozen pending the trial court's order in the special proceeding.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

DIVISION EIGHT

B155760 Kristina S. (Not for Publication)
v.
Superior Court, Los Angeles County
(Los Angeles County Department Of Children And Family Services, r.p.i.)

The petition for writ of mandate is denied, and the order to show cause is discharged.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.